

WARRANT

For

Annual Town Meeting

May 14, 2011

9:00 a.m.

Hamilton-Wenham Regional High School
Auditorium

Annual Town Election

May 26, 2011

7:00 a.m. – 8:00 p.m.

Winthrop School
Cafeteria

Please note: The appendices are available at Town Hall, on-line at www.hamiltonma.gov, and at the meeting. They were omitted from the warrant mailing to save on printing and postage costs.

Please recycle this warrant after the Town meeting.

Town By-Laws

CHAPTER II

RULES AND PROCEDURE OF TOWN MEETINGS

SECTION 1. All articles in the warrant shall be taken up in the order of their arrangement, unless otherwise decided by a two-thirds vote.

SECTION 2. In case of motions to amend, or to fill out blanks, the one expressing the largest sum or the longest time shall be put first, and an affirmative vote thereon shall be a negative vote on any smaller sum or shorter time.

SECTION 3. The report of a committee shall be deemed properly before a meeting if a request for its acceptance is included in an article of the warrant and a copy is published in the Special Report or is filed with the Town Clerk fifteen days prior to the meeting. A vote to accept a final report shall discharge the committee but shall not be equivalent to a vote to carry out its recommendations. A vote on recommendations included in a committee report shall only be in order under an article to that effect in the warrant. A vote to accept a report of progress shall continue the committee under its original authority unless otherwise specified.

SECTION 4. If an article of the Warrant has once been acted upon and disposed of, it shall not be again considered at the meeting except by a two-thirds vote.

SECTION 5. No money shall be appropriated from the Stabilization Fund except by a 2/3 vote at a Town Meeting.

SECTION 6. Only registered voters of the Town shall be admitted and entitled to vote at any Annual or Special meeting provided that upon prior request the Moderator may admit to the meeting persons who are not registered voters and in his discretion may permit them to speak on a subject. Any person so permitted to speak at a meeting shall announce his full name and address to the meeting.

SECTION 7. Motions at Town Meeting shall be made orally, but the Moderator may require any motion also to be submitted in writing. Unless otherwise directed thereby the Moderator shall appoint all committees created by the vote of the Town.

SECTION 8. The conduct of all Town Meetings not prescribed by law or by the foregoing rules shall be determined by the rules of practice contained in Town Meeting Time, A Handbook of Parliamentary Law, Second Edition.

SECTION 9. On matters requiring a two-thirds vote, either by statute or these By-Laws, a count need not be taken and the vote need not be recorded unless the vote declared is immediately questioned by seven or more voters as provided in General Laws, Chapter 39, Section 15.

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Please note: The appendices are available at the Town Hall, on-line @ www.hamiltonma.gov and at the meeting. They were omitted from the warrant mailing to save in printing and postage costs.

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ESSEX, SS

TO THE CONSTABLE OF THE TOWN OF HAMILTON:

GREETINGS:

In the name of the Commonwealth of Massachusetts, you are hereby directed to notify and warn the inhabitants of the Town of Hamilton qualified to vote in election and town affairs, to meet at the Hamilton-Wenham Regional High School in said town, on Saturday, the Fourteenth day of May, in the year Two Thousand Eleven (May 14, 2011) at nine o'clock in the morning (9:00 a.m.), then and there to act on the following articles.

SECTION 1: ELECTIONS, REPORTS, PROCEDURES

ARTICLE 2011/5 1-1 <i>Election of Officers</i>	To elect the following Town Officers at the Annual Town Election on Thursday, May 26, 2011 from 7:00 a.m. to 8:00 p.m. at the Winthrop School. <ul style="list-style-type: none">• Town Moderator for one year• Selectman for three years• Town Clerk three years• Assessor for three years• One member of Planning Board for five years• One member of the Planning Board for two years (to fill unexpired term)• Hamilton Housing Authority for five years• Hamilton-Wenham Public Library Trustees for three years• Three members of the Hamilton-Wenham School Committee for three years <u>Moderator:</u> The vote on Article 1-1 is by ballot on Thursday, May 26, 2011 at the Winthrop School. The polls will open at 7:00 a.m. and close at 8:00 p.m.
ARTICLE 2011/5 1-2 <i>Reports</i>	To hear reports of Town Officers and selected committees and to take action thereon or relative thereto. Reports will appear in the Town Report for Calendar Year 2010.

SECTION 2: FINANCIAL ACTIONS

ARTICLE 2011/5 2-1 <i>Compensation/ Classification Table</i>	To see if the Town will amend the Personnel By-law by adopting changes to the classification and compensation table, or take any other action thereon, or relative thereto. [The Proposed Compensation/Classification Table appears as Appendix A to the 2011 Appendix Book.] The Board of Selectmen and the Finance and Advisory Committee will make recommendations at Town Meeting.
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<p>ARTICLE 2011/5 2-2</p> <p><i>General Town Appropriations</i></p>	<p>To see if the Town will raise and appropriate money for schools and all other Town expenses and determine the manner of expending same, or take any action thereon or relative thereto. <i>(Expected request of \$25,206,513.00)</i></p> <p>[The proposed budget appears as Appendix B to the 2011 Appendix Book.] [The approved school budget appears as Appendix C to the 2011 Appendix Book.]</p> <p>The Board of Selectmen and the Finance and Advisory Committee will make recommendations at Town Meeting.</p>
<p>ARTICLE 2011/5 2-3</p> <p><i>Water Enterprise Budget</i></p>	<p>To see if the Town will approve the FY 12 Water Enterprise Budget or take any other action thereon, or relative thereto. <i>(Expected request of \$975,383.00)</i></p> <p>[The proposed budget appears as Appendix D to the 2011 Appendix Book.]</p> <p>The Board of Selectmen recommends favorable action. The Finance and Advisory Committee will make a recommendation at Town Meeting.</p>
<p>ARTICLE 2011/5 2-4</p> <p><i>Waste Reduction Enterprise Budget</i></p>	<p>To see if the Town will approve the FY 12 Waste Reduction Enterprise Budget or take any other action thereon, or relative thereto. <i>(Expected request of \$307,500.00)</i></p> <p>[The proposed budget appears as Appendix E to the 2011 Appendix Book.]</p> <p>The Board of Selectmen recommends favorable action. The Finance and Advisory Committee will make a recommendation at Town Meeting.</p>
<p>ARTICLE 2011/5 2-5</p> <p><i>North Shore Regional Vocational School District Budget</i></p>	<p>To see if the Town will raise and appropriate a sum of money for the Town's assessed portion of the North Shore Regional Vocational School District's FY 12 budget, or take any other action thereon, or relative thereto. <i>(Expected request of \$179,262.00)</i></p> <p>The Board of Selectmen recommends favorable action. The Finance and Advisory Committee will make a recommendation at Town Meeting.</p>
<p>ARTICLE 2011/5 2-6</p> <p><i>Community Preservation Committee Budget</i></p>	<p>To see if the Town will act on the Report of the Community Preservation Committee on the Fiscal Year 2012 Community Preservation Budget and specified other projects and appropriate or reserve for later appropriation monies from community preservation fund annual revenues, specific reserves or other available funds for the administrative expenses of the Community Preservation Committee, the payment of debt service, the undertaking of community preservation projects and all other necessary and proper expenses for the year, or take other action thereon or relative thereto. <i>(Expected request of \$508,918.00)</i></p> <p>[The Budget appears as Appendix F of the 2011 Appendix Book.]</p> <p>The Board of Selectmen recommends favorable action. The Finance and Advisory Committee will make a recommendation at Town Meeting.</p>
<p>ARTICLE 2011/5 2-7</p> <p><i>Annual Financial Actions</i></p>	<p>To see if the Town will authorize the following financial actions, or take any other action thereon, or relative thereto.</p> <ul style="list-style-type: none"> A. To transfer a sum of money from the Cemetery Sale of Lots and Graves Fund to be used for cemetery purposes (expected request \$2,000.00); B. To transfer a sum of money from the Clark Property Fund to the Conservation Fund (expected request \$2,000.00); C. To transfer a sum of money from the Water Enterprise Fund to the General Fund to be used for indirect expenses (expected request \$275,570.00);

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	<p>D. To transfer a sum of money from the General Fund to the Waste Reduction Enterprise Fund to be used for solid waste expenses (expected request \$303,784.00).</p> <p>The Board of Selectmen recommends favorable action. The Finance and Advisory Committee will make a recommendation at Town Meeting.</p>
<p>ARTICLE 2011/5 2-8</p> <p><i>Annual Authorization of Revolving Funds</i></p>	<p>To see if the Town, pursuant to M.G.L. c. 44, § 53E ½, will authorize or reauthorize revolving funds for certain town departments for the fiscal year beginning July 1, 2011, or take any other action thereon, or relative thereto. <i>(Expected requests of \$229,009.00 and \$15,000.00)</i></p> <p>[The proposed budgets and details of expenditure appear as Appendices G and H to the 2011 Appendix Book.]</p> <p>The Board of Selectmen recommends favorable action. The Finance and Advisory Committee will make a recommendation at Town Meeting.</p>
<p>ARTICLE 2011/5 2-9</p> <p><i>OPEB Trust Fund</i></p>	<p>To see if the Town will accept M.G.L. c. 32B, § 20 which authorizes the Town to establish an Other Post Employment Benefits Liability Trust Fund to reduce the unfunded liability of health care and other post employment benefits to meet the normal cost of all such future benefits for which the Town of Hamilton is obligated, and raise and appropriate a sum of money for deposit in said Trust Fund, or take any other action thereon or relative thereto. <i>(Expected request of \$25,000.00)</i></p> <p>The Board of Selectmen recommends favorable action. The Finance and Advisory Committee will make a recommendation at Town Meeting.</p>
<p>ARTICLE 2011/5 2-10</p> <p><i>Meals Tax Revenue to Stabilization Fund</i></p>	<p>To see if the Town will transfer a sum of money to be sourced from the annual meals tax revenue to the Commercial Economic Development Stabilization Fund, or take any other action thereon, or relative thereto. <i>(Expected request \$30,000.00)</i></p> <p>The Board of Selectmen recommends No Action. The Finance and Advisory Committee will make a recommendation at Town Meeting.</p>
<p>ARTICLE 2011/5 2-11</p> <p><i>Debt for capping landfill and Ballot Question</i></p>	<p>To see if the Town will appropriate a sum of money for the cost of closing and capping the Town landfill, including planning, design and engineering, and all other costs incidental or related thereto; to determine whether this appropriation shall be raised by borrowing or otherwise; and if by borrowing, to determine whether the appropriation and borrowing shall be contingent upon an affirmative vote of the Town to exempt from the limitation on total taxes imposed by G.L. c.59, §21C (Proposition 2½) the amounts required to pay the principal of and interest on the borrowing authorized; and to raise and appropriate a sum of money for bond issuance costs, or take any other action thereon or relative thereto. <i>(Expected debt request \$2,000,000.00 and bond issuance costs \$34,760.00)</i></p> <p align="center">See Ballot Question #1 at the end of the warrant</p> <p>The Board of Selectmen recommends favorable action. The Finance and Advisory Committee will make a recommendation at Town Meeting.</p>
<p>ARTICLE 2011/5 2-12</p> <p><i>MUNIS contract</i></p>	<p>To see if the Town will authorize the Board of Selectmen to execute a five year contract for MUNIS accounting software and support, or take any other action thereon, or relative thereto. <i>(Total contract amount \$165,000.00)</i></p> <p>The Board of Selectmen recommends favorable action.</p>

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	The Finance and Advisory Committee will make a recommendation at Town Meeting.
ARTICLE 2011/5 2-13 <i>Transfer from Capital Library to Capital Landfill</i>	<p>To see if the Town will transfer a sum of money from the Capital Library Fund to the Capital Landfill Fund, contingent upon the passage of a referendum question pursuant to M.G.L. c.59, §21(C)(k), or take any other action thereon, or relative thereto. <i>(Expected request \$185,000.00)</i></p> <p>The Board of Selectmen recommends favorable action. The Finance and Advisory Committee will make a recommendation at Town Meeting.</p>
ARTICLE 2011/5 2-14 <i>Transfer to Stabilization Fund</i>	<p>To see if the Town will raise and appropriate a sum of money to replenish the general Stabilization Fund, or take any other action thereon, or relative thereto. <i>(Expected request \$100,000.00)</i></p> <p>The Board of Selectmen recommends favorable action. The Finance and Advisory Committee recommends favorable action.</p>
ARTICLE 2011/5 2-15 <i>Transfer from Recycling Receipt Fund to Waste Enterprise Fund</i>	<p>To see if the Town will transfer a sum of money from the Recycling Receipt Fund to the Waste Enterprise Fund, contingent upon approval of the proposed amendments to General By-law Ch. XIV, Disposal of Refuse and Garbage, or take any other action thereon, or relative thereto. <i>(Expected request of \$18,000.00)</i></p> <p>The Board of Selectmen recommends favorable action. The Finance and Advisory Committee will make a recommendation at Town Meeting.</p>

SECTION 3: PLANNING /ZONING ACTIONS

	NONE
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SECTION 4: TOWN BY-LAW AMENDMENTS

ARTICLE 2011/5 4-1 <i>Delete Ch. X, Sec. 9 of General Bylaws</i>	<p>To see if the Town will delete Chapter X, Sec. 9 of the General Bylaws pertaining to winter storm parking ban on all public ways, to be replaced, pursuant to M.G.L. c.40, §22, with rules and regulations adopted by the Board of Selectmen, including a schedule of fines pursuant to Chapter XIII of the Town Bylaws for each violation thereof, or take any other action thereon or relative thereto.</p> <p>The Board of Selectmen recommends favorable action. The Finance and Advisory Committee will make a recommendation at Town Meeting.</p>
ARTICLE 2011/5 4-2 <i>Amendment to Disposal of Refuse and Garbage General Bylaw (Chapter XIV)</i>	<p>To see if the Town will amend the Disposal of Refuse and Garbage General Bylaw Chapter XIV, or take any action thereon or relative thereto.</p> <p>[The current and proposed language appears as Appendix I to the 2011 Appendix Book.]</p> <p>The Board of Selectmen recommends favorable action. The Finance and Advisory Committee will make a recommendation at Town Meeting.</p>

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SECTION 5: OTHER ACTIONS

<p>ARTICLE 2011/5 5-1</p> <p><i>Hamilton Development Corporation</i></p>	<p>To see if the Town will authorize the Board of Selectmen to petition the Legislature to enact special legislation to establish a Hamilton Development Corporation, in the form attached as Appendix J to the 2011 Appendix Book, provided, however, that the Legislature may make clerical or editorial changes of form only to the bill, unless the Board of Selectmen approves amendments to the bill prior to enactment by the Legislature; and to authorize the Board of Selectmen to approve amendments which shall be within the scope of the general public objectives of this petition, or take any other action thereon or relative thereto. (Appendix J to the 2011 Appendix Book)</p> <p>The Board of Selectmen recommends favorable action. The Finance and Advisory Committee will make a recommendation at Town Meeting.</p>
<p>ARTICLE 2011/5 5-2</p> <p><i>Acceptance of M.G.L. Ch. 43D and Landfill as Priority Development Site</i></p>	<p>To see if the Town will accept the provisions of M.G.L. c. 43D, Expedited Permitting, and approve the filing of an application with the Interagency Permitting Board for the designation of the landfill off Chebacco Road, Assessors Map 75, Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, and 11 and Map 72, Lot 3 as a Priority Development Site, or take any other action thereon or relative thereto.</p> <p>The Board of Selectmen and the Finance and Advisory Committee will make recommendations at Town Meeting.</p>
<p>ARTICLE 2011/5 5-3</p> <p><i>Electrical Easement at Patton Park</i></p>	<p>To see if the Town will grant an electrical easement to National Grid to maintain and repair electrical service at Patton Park, or take any other action thereon or relative thereto.</p> <p>The Board of Selectmen recommends favorable action. The Finance and Advisory Committee will make a recommendation at Town Meeting.</p>
<p>Article 2011/5 5-4</p> <p><i>Petition to Legislature concerning Group Insurance Policies</i></p>	<p>To see if the Town will authorize the Board of Selectmen to petition the General Court to enact special legislation, as set forth below, authorizing the Town to alter and amend employee group insurance policies without being subject to collective bargaining; provided, however, that the General Court may make clerical or editorial changes of form only to the bill, unless the Board of Selectmen approves amendments to the bill prior to enactment by the General Court; and to authorize the Board of Selectmen to approve amendments which shall be within the scope of the general public objectives of this petition:</p> <p><i>“AN ACT AUTHORIZING THE TOWN OF HAMILTON TO NEGOTIATE AND PURCHASE GROUP INSURANCE POLICIES</i></p> <p><i>SECTION 1. Notwithstanding the provisions of chapter 32B and chapter 150E of the General Laws or any other general or special law to the contrary, the Town of Hamilton is authorized at the discretion of the Board of Selectmen, without bargaining under said chapters 32B or 150E concerning the decision or the impact thereof, to negotiate and purchase group insurance policies for employees, retirees and their dependents; alter current and future group insurance plan design features including but not limited to co-payments, deductibles and tiered provider network co-payments; and participate in or join a state program providing group insurance policies including those provided by the Group Insurance Commission or other</i></p>

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	<p><i>similar program.</i></p> <p><i>SECTION 2. The provisions of this act shall not affect the town's obligations under any collective bargaining agreements between the town and any unions in effect on the effective date of this act; provided, however, that for the purposes of this act, the town's collective bargaining obligations with respect to group insurance policies under any such collective bargaining agreement(s) shall cease as of the date of expiration of the agreement(s), regardless of whether a successor collective bargaining agreement has been approved.</i></p> <p><i>SECTION 3. This action shall take effect upon its passage.”,</i></p> <p>or to take any other action thereon or relative thereto.</p> <p>The Board of Selectmen recommends favorable action. The Finance and Advisory Committee will make a recommendation at Town Meeting.</p>
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SECTION 6: CLOSING FINANCIAL ACTIONS

<p>ARTICLE 2011/5 6-1</p> <p><i>Free Cash Application</i></p>	<p>To see if the Town will reserve, appropriate and authorize the Assessors to use available certified free cash to reduce the tax rate for the Fiscal Year beginning July 1, 2011, or take any action thereon or relative thereto. (<i>Expected request \$275,000.00</i>)</p> <p>The Board of Selectmen and the Finance and Advisory Committee will make a recommendation at the Town Meeting.</p>
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**Annual Town Election will be held on Thursday, May 26, 2011 at the Winthrop School.
The polls will be open from 7:00 a.m. to 8:00 p.m.**

Proposition 2½ Debt Exclusion Ballot Question

Question #1:

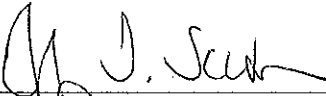
Shall the Town of Hamilton be allowed to exempt from the provisions of proposition two and one-half, so-called, the amounts required to pay for the bonds to be issued in order to finance the cost of closing and capping the Town landfill, including planning, design and engineering, and all other costs incidental or related thereto?

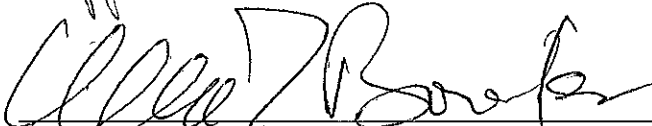
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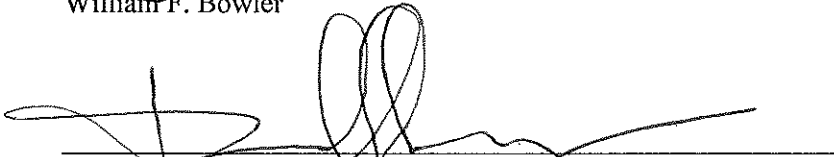
ADJOURNMENT


Given under our hands April 11, 2011

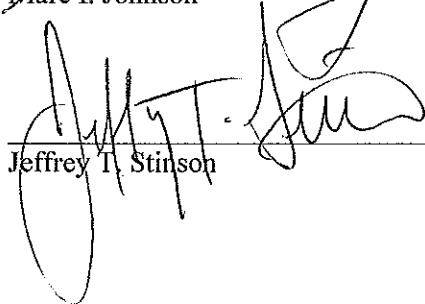
HAMILTON BOARD OF SELECTMEN


Jennifer T. Scuteri, Chair


William F. Bowler


David S. Carey

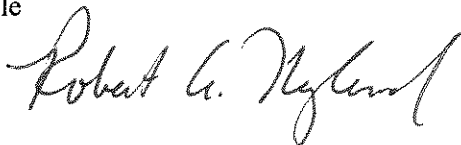

Marc I. Johnson


Jeffrey T. Stinson

Hamilton, Massachusetts

I have this day served this warrant as directed by Chapter 1, Section 1b of the Town By-laws.

Constable



4-14-11

BULK RATE
U.S. POSTAGE PAID
PERMIT #24
HAMILTON, MA 01936

POSTAL PATRON

Visit our website at www.hamiltonma.gov

Please join us

Saturday, May 14, 2011

ANNUAL TOWN MEETING

Hamilton-Wenham Regional High School
Auditorium
9:00 a.m.

DEMOCRACY IS NOT A SPECTATOR SPORT

Please bring this warrant with you to the Town Meeting. Thank you.